

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: AUGUST 5, 2009

DEPARTMENT: NEIGHBORHOOD SERVICES

DIRECTOR: STEPHEN K. HARSIN

☐ Consent ☒ Discussion

SUBJECT:

ABEYANCE ITEM - Public Hearing to consider the report of expenses to recover costs for the vacant or abandoned buildings located at 901 West McWilliams Avenue, Units 101-104, 106, 201-202, 205-206, 301-306, 401-406, 501-505, 601-606, 701-702, 704-706, 801-803, 806, 808-810, 902-904, 906-907 and 1001 West McWilliams Avenue in the amount of \$46,613.60 (General Fund). PROPERTY OWNER: MOULIN ROUGE PROPERTIES, LLC - Ward 5 (Barlow)

Fiscal Impact

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No Impact

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Augmentation Required

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Budget Funds Available

Amount: \$46,613.60

Funding Source: General Fund

Dept./Division: Neighborhood Services/Response

PURPOSE/BACKGROUND:

The condition of the property was a public hazard and an attractive nuisance. The Department of Neighborhood Services declared the property in violation and started legal notification. When no corrective action was taken nor an appeal filed the Department of Neighborhood Services had Basch Construction Company conduct an emergency boarding in accordance to Title 9.

RECOMMENDATION:

That the City Council: Approve the report of expenses to include two invoices in the amount of \$11,160 and \$23,064 for Basch Construction Company services in addition to other fees assessed for a total of \$46,613.60.

BACKUP DOCUMENTATION:

1. Agenda Memo
2. Detail Listing of Properties
3. Location Maps
4. Report of Expenses
5. Notice of Public Hearing
6. Copy of the Notice and Claim of Liens
7. Notice of Entry of Order, of Debtor's Default and of Relief from Automatic Stay
8. Abeyance Request Letter by Snell & Wilmer from the 7/15/09 City Council meeting
9. Rescheduled Hearing Notifications
10. Submitted at Meeting – Copy of Agreement by Staff

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Motion made by RICKI Y. BARLOW to Approve an assessment of \$46,613.60

Passed For: 7; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 0

RICKI Y. BARLOW, LOIS TARKANIAN, STEVE WOLFSON, OSCAR B. GOODMAN, GARY REESE, STEVEN D. ROSS, STAVROS S. ANTHONY; (Against-None); (Abstain-None); (Did Not Vote-None); (Excused-None)

Minutes:

MAYOR GOODMAN declared the Public Hearing open for Items 66 and 67.

DEVIN SMITH, Manager of Neighborhood Response, read the Purpose/Background and Recommendation sections for Items 66 and 67. He explained that the property had gone into foreclosure, but the lending company has been very responsive in working with staff. MR. SMITH suggested reviewing the property's condition in September and October to ensure the property was in compliance.

A videotape was shown, but a copy was not submitted.

ATTORNEY DAVID LETA, Snell & Wilmer, appeared on behalf of Las Vegas Apartment Lenders, LLC. He explained that his company had loaned \$20 million to the developer, Moulin Rouge, LLC, which had subsequently filed for bankruptcy. The property was foreclosed on May 26, 2009, and his company was working to sell it. He stressed that his company is a good corporate citizen and planned to enter into an agreement with the City regarding the property's condition. He explained that this client was a lender seeking to recover as much money as possible for its investors and was currently in negotiations for the sale of the property.

MAYOR GOODMAN thanked ATTORNEY LETA for his candor and for working so closely with staff. He stressed the importance of this property to the City and encouraged him to keep the City advised regarding any potential sale.

DEPUTY CITY ATTORNEY HEIDI ALMASE submitted a copy of the agreement between the City and the property owner for the record. CITY ATTORNEY BRAD JERBIC announced that DEPUTY CITY ATTORNEY ALMASE was leaving the City to enter private practice with her husband and thanked her for her service and dedication to the City during her time with the City Attorney's Office.

COUNCILMAN BARLOW thanked ATTORNEY LETA for working with his office on this property. He emphasized the importance of the property to the community and encouraged ATTORNEY LETA to honor the agreement between the City and his company.

ATTORNEY LETA thanked the staff in Neighborhood Services and City Attorney's Office for their timely responses and professionalism.

MAYOR GOODMAN declared the Public Hearing closed for Items 66 and 67.